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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

WILFREDO G TABISAURA
5504 Eagle Cove Avenue
Las Vegas NV 89130
License No. 365488

STIPULATION AND ORDER

Docket No. 2013-045 LC

Enf. Case No. 3242

STIPULATION

1. Respondent, Wilfredo G Tabisaura (“Tabisaura”) is a licensed non-resident insurance producer in the State of Utah holding License No. 365488.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
 - b. Respondent admits the Findings of Fact and Conclusions made therefrom;

- c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and
- d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for purpose of disposition of the matter entitled herein.

DATED this 4th day of APRIL, 2013.



WILFREDO G. TABISAURA



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On September 24, 2012, the Department received a referral from the Producer Licensing Director of the Nevada Department of Insurance regarding Respondent's conviction of Attempted Sale of False Identification, a Gross Misdemeanor, and that the Nevada Department of Insurance was in the process of revoking Respondent's Nevada license.

2. On October 3, 2012, correspondence was sent to Respondent Tabisaura requesting an explanation of the felony conviction and why the criminal proceeding had not been reported to the Department as required. The correspondence also requested copies of all court documents related to the matter.

3. On October 4, 2012, Respondent replied with an explanation of his conviction which was listed as an attempt to possess personal identifying information of another. The documents provided to the Department contained a probation requirement that Respondent "abstain from employment where personal identifying information is accessed."

4. On October 22, 2012, the Department sent an email to Respondent suggesting that continuing work in the insurance industry would violate his probation as he would have access to personal identifying information. Respondent was asked to agree to revocation of his license.

5. On October 23, 2012, Respondent agreed to revocation of his Utah license.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Respondent's conviction involving dishonesty demonstrates that he does not meet the character requirements to hold an insurance license of being competent and trustworthy under Utah Code Ann. § 31A-23a-107(2).

2. Respondent's Utah insurance producer's license should be revoked pursuant to Utah Code Ann. § 31A-23a-111(5)(b)(i), is unqualified for a license, and -111(5)(b)(xvii), has an insurance license revoked in another jurisdiction.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. License number 365488 authorizing Respondent Wilfredo G Tabisaura to conduct insurance business in the State of Utah is hereby revoked, effective immediately.
2. Respondent shall immediately cease doing any insurance business in the State of Utah.

DATED this 10th day of April, 2013.

TODD E. KISER
Insurance Commissioner



MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone: (801) 538-3800

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.